

1/25/99
Applicant or Patentee: Michael Malcolm

Serial or Patent No.: 09/093,533

Filed or Issued: June 8, 1998

For: Network Object Cache Engine

#5

**VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 C.F.R. § 1.9(f) and § 1.27(c))
SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below:

x an official of the small business concern identified below and empowered to act on its behalf.

NAME OF BUSINESS: CacheFlow, Inc.

ADDRESS OF BUSINESS: 650 Almanor Ave., Sunnyvale, California 94086, United States

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties control(s) or has (have) the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention entitled:

Network Object Cache Engine

by inventor(s): Michael Malcolm and Robert Zarnke

described in:

☐ the specification filed herewith

x application Serial No. 09/093,533, filed June 8, 1998

☐ Patent No. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than an inventor who qualifies as an individual inventor pursuant to 37 C.F.R. § 1.9(c), who could not qualify as a small business concern under 37 C.F.R. § 1.99d) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a non-profit organization under 37 C.F.R. § 1.9(e).*

*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Non-Profit Organization

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Non-Profit Organization

FULL NAME:

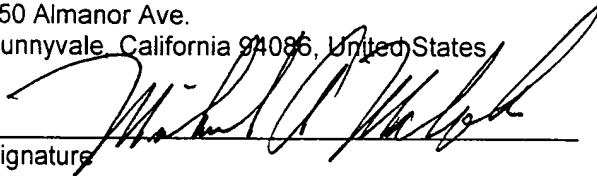
ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Non-Profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1008 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

CachFlow, Inc.
650 Almanor Ave.
Sunnyvale, California 94086, United States


Signature

Michael Malcolm
Print Name

11/10/98
Date

Chairman and CEO
Title

This will acknowledge receipt of the following application papers at the U.S. Patent Office:

Inventor(s): Michael Malcolm and Robert Zarnke
Filing Date: June 8, 1998
Serial No.: 09/093,533
Entitled: Network Object Cache Engine

Papers filed: (1) Transmittal Form SB/21;
(2) Copy of Assignment Papers;
(3) Power of Attorney;
(4) Small Entity Statement; and
(5) Return Postcard.

Docket No.: CASH-001
Attorney: Steven A. Swernofsky

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